

THE <sup>2.</sup>  
S P E E C H

OF THE

RIGHT HONOURABLE

JOHN HELY HUTCHINSON,

HIS MAJESTY'S PRINCIPAL SECRETARY OF  
STATE FOR THE KINGDOM OF IRELAND,

MADE IN THE

HOUSE OF COMMONS,

ON THE 26TH DAY OF JUNE, 1793,

ON THE

RESOLUTION PROPOSED BY MR. FORBES,

RESPECTING THE

REGULATION

OF THE

TREASURY BOARD.

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## S P E E C H, &c.

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ON the 26th of June 1793, the House of Commons was moved to come to the following resolution, "That it is expedient to appoint Commissioners of the Treasury, of whom the Chancellor of the Exchequer to be one, who shall be responsible to Parliament for the issues of public money, and for the due application of such revenues as are or shall be appropriated by Parliament to public uses, and who shall also be invested

“ vested with a superintending controul  
 “ over all officers employed in the collec-  
 “ tion and management of the Revenue  
 “ in this Kingdom.”

To this resolution the Secretary of State objected. He observed, that by the constant rules of proceeding in Parliament, any member who declares his intention to bring forward a measure, was allowed to lay before the House the whole of his scheme ; and that it was considered as contrary to Parliamentary good breeding, that the ground should be pre-occupied, and the measure anticipated by any other member.

The observation was peculiarly applicable to measures proposed by those gentlemen who conducted the business of Administration ; and still more so to measures which, at their first communication, have been received with general approbation. It was the business of ministers to digest  
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and arrange their plan, and of this House to approve, condemn, or correct it. The arrangement of the Public Treasury belongs to his Majesty, and is to be directed by him.

In this manner it begun in England, in the reign of King Charles II. when the Treasury and Admiralty were vested in Commissioners appointed by the Crown; the Legislature was not to be resorted to, unless for the purpose of aiding the Executive power, if that should be found necessary. The measure intended by his Majesty's Ministers, was the greatest concession that had ever been made by the Crown to the people; and while it strengthened the Constitution and improved the finances of this country, was at the same time highly beneficial to his Majesty's Government.

The nett hereditary revenue for the last year, ending the 25th of March, 1792, was

was 275,102l.—and the gross amount 764,627l. which was reduced to so small a sum, by charging the whole expence of the collection and management of the whole revenue on this part of it; but when this comes to be considered no man could justify it. It arose at first from laying the additional duties on those subjects of taxation from which the hereditary arose. It afterwards became a pious fraud, to lay every possible charge on this fund, and with that view bounties and premiums to a very great annual amount were charged on it, which had reduced its amount.

To shew the value of this concession to the Constitution, he observed, that the common law revenue of the Crown was the property of the King; but the disposal of it, like every other act of the Executive Power, was subject to the superintendency, and if used for unconstitutional purposes, to the controul of Parliament

ment ; but that the King had the power to alien this revenue, appeared from the English acts of restraint and reassumption.

The King's common law revenue in this country, was of inconsiderable annual amount ; the hereditary revenue was, as to some parts of it, given as a compensation for the common law revenue of the Crown. This was acknowledged, on all hands, as to two branches of this revenue ; namely, quit rents and hearth money ; the first given in lieu of forfeited lands, and the second as a compensation for the abolition of the Court of Wards ; but the other two great branches of this revenue, the Excise and Customs, were given as a purchase for the act of settlement, which appeared manifestly by a message delivered to the House of Commons, in the year 1662, from the Lords Justices, by Sir Paul Davis, his Majesty's Principal Secretary of State, " That they conceived it a duty to his  
" Majesty incumbent on them, to suspend  
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“ giving the assent to the great bill of settlement, till it should be accompanied with the other revenue bills ;” meaning those for granting the hereditary duties.

Three parts out of four of the kingdom, were at that time in a state of forfeiture. The utmost national distraction prevailed ; to redeem themselves from this situation, they gave an hereditary revenue ; they were forced to do it ; and the King at the time relinquished forfeitures of a much greater value ; he desired, however, not to be understood as defending those bargains between the Crown and the people. He thought them shameful on the part of the Crown ; but such had been the conduct of the Stewarts.

The settlement of Ireland was a bargain ; the Habeas Corpus act In England was a bargain ; and the petition of rights not much better. This revenue having been granted



granted to the King, his heirs and successors, many questions arose respecting the King's power over it.—Some principles were clear; that the disposition of this revenue was in the King; that his letters and seals were the only authority for issuing it, and the only vouchers allowed by the Commissioners of Accounts, or the House of Commons; that it was vested in the Crown for public purposes; but that the support of the Royal dignity was one of those purposes; and that over this, as over every other part of the Executive Power, the Houses of Parliament had a superintendency.

Other points were disputed; it was said, the acts of Excise and Customs contained words of appropriation; the first having been granted for the pay of the army, and the second for guarding and defending the seas—but both those acts contain also general expressions; the first for defraying other public charges in the defence and  
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preservation of the realm; and the second is also given for the encrease and augmentation of his Majesty's revenue. There was no ground for calling this an appropriation; the idea had not been at that time entertained.

In about two years after passing those laws, Sir George Downing proposed his scheme of appropriation in England. Clarendon and Southampton highly disapproved; but it was a favourite measure of Charles II. who was flattered by Downing into an opinion, that by this appropriation his Exchequer would become the bank of Europe; but no attempt was made to do this by a resolution of the House of Commons; it was done by a clause in an act of Parliament, specifying the purposes to which the money was to be applied, and containing negative words: this did not enlarge, but annihilated the King's power over it.

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From this scheme the appropriation of the public revenue, and the vesting it in responsible Commissioners first arose, and though condemned at the time, by the most experienced statesmen, and originating in a Court intrigue, has proved one of the most useful arrangements at any time introduced into the English Government; and has shewn that Clarendon, able as he generally was, had in this instance failed in sagacity. His opinion, which we have in his own account of this transaction was, that the business of Government could never be well conducted, if the King and the Lord High Treasurer had not the power of selecting those objects to which the public money was to be applied.

Among the many contests which the hereditary revenue of Ireland had produced, it had been truly said, that parts of it, namely, those arising from hearth-money, and ale licences, were by those acts exempted and discharged from pensions;

and that by the English act of William III. quit-rents, in Ireland, were not to be charged with pensions, but to be reserved for the purposes of Irish Government; and from hence it was inferred, that the grants of pensions being charged upon the whole revenue, were void; but the fact was mistaken, the grants having been out of such parts of his Majesty's revenue as were liable to the same.

From this exemption of two branches of the hereditary revenue from the charge of pensions, it was urged that over those parts of it, a restraint of the royal power was intended. The observation was just, as to any imposition on those branches in the way of pensions: but on this exemption two arguments were founded in favour of the royal power. It was said, that it proved that the parts of the revenue so exempted, were meant to be reserved to the sole use of the Crown, and was therefore exonerated from charges in favour of other persons;



persons; and, with more weight, that the exemption of part of this revenue from grants of this nature, implied a power of charging the other parts of it with pensions.

The power of application in the Crown, was called on one side a public trust; but on the other, it was considered, in the language of the Courts, as a trust coupled with an interest, and that the King and his successors, as well as his people, were the objects of it.

A dispute had also arisen in the late reign, respecting the application of the surplus of the aggregate fund, consisting of the different branches of the revenue, including the hereditary, which had occasioned the greatest convulsion he ever remembered in this kingdom; and those dissensions occasioned another national grievance, namely, the great increase of pensions, which have grown from a little  
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more than three thousand to one hundred and fourteen thousand pounds yearly; they have been the source of disputes during the whole of this century; the servants of the Crown never defended them, as has been supposed, on the principle that the King could dispose of the public revenue as he pleased; but they urged that the support of his Majesty's Crown and dignity, was a part of the public purposes, for which not only the hereditary, but the additional duties were granted; and as neither his Majesty, nor any of the Kings of his family, had drawn any money from Ireland for that purpose, he was entitled to exercise his Royal munificence to a reasonable extent, in the grant of pensions; but for his part he had always felt for the situation of the country, by the enormous increase of those pensions, and had been in an early part of his life very much impressed by an event which had taken place in this kingdom.

In 1757, the Commons unanimously resolved, that pensions were a grievance, and demanded redress, and that this and other strong resolutions on the subject should be laid before the Lord Lieutenant, to be transmitted to the King: they were then little more than 40,000l. yearly.

In the two following years, there was an addition of about 16,000l.; but the same House of Commons, which had passed these resolutions, refused to interfere, which was a decisive circumstance to satisfy his judgment, that the power of granting, without limitation, ought not to be trusted to any Minister: and that the power of the House of Commons was not a sufficient controul: he therefore thought the Legislature ought to limit the amount: and as this hereditary revenue had occasioned a disuse of Parliaments for 26 years, he thought the whole revenue ought to be appropriated; and from the

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first moment of his entering into the service of the public, he had recommended a Civil List, properly so called, for the support of the King's Crown and dignity—a limitation of pensions, and an appropriation of the revenue; but such suggestions were, in those days, unfavourably received—what he thought all the statesmen and patriots of Ireland would never have been able to effect, and no British minister would have ventured to recommend, what exceeded his expectations, and was not even within the horizon of his hopes—*volvenda dies enattulit.*

He thought this was the only thing wanting to complete our Constitution; and that when the measure was accomplished, and the intended bills respecting the seats of placemen and pensioners in this House, were passed into laws, this Constitution would be perfectly assimilated to that of Great Britain; he therefore considered the communication of this measure as among the  
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the best tidings that had been ever brought to Ireland.

The advantages to this kingdom with respect to its finances were evident; we should in a few years save under the head of pensions, 34,000*l.* yearly; and in another respect an advantageous arrangement had been made for the country, by the perpetual acquisition of the profits of two great offices, amounting to 7000*l.* yearly, in exchange for pensions of equal amount, determinable by the lives of the present possessors; and it would now be easy to make an estimate of the public expences, which was formerly impracticable.

This gracious concession would be found highly beneficial to his Majesty's Government.

The hereditary revenue was really hereditary weakness; the representatives of

the people gave their taxes with diffidence, and the payments were made with reluctance, from an apprehension that the produce may be applied to purposes very different from those for which they were given. The grants of the Crown were frequently the subject of severe observation, and sometimes of censure, in the House of Commons; and if the revenue proved insufficient for answering those and all the other purposes of Government, it was in their power to have refused such a supply as would have enabled the Crown to have supported those grants. He therefore thought it more honourable for the Crown to have the sum limited, which pensions were not to exceed; and where an excess of that sum should become necessary, more decorous that the ministers of the Crown should previously apply to Parliament for its approbation, which on all proper occasions would be easily obtained.

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This he understood to be one of the objects of the present arrangement. What that was to be, he was not particularly informed, and desired that his observations should be understood, as applicable to the following principles—the establishment of a Civil List for the Crown: an appropriation of the public revenue; a limitation of the sum, which pensions should not exceed, after they had been reduced by time to that limited sum; and that the revenue so appropriated should be vested in the Commissioners of the Treasury, who should be responsible for its application to the purposes ascertained by the Legislature,

Such was the arrangement which had been stated, and which he had endeavoured to shew, would be a great improvement of the Constitution of this country, and of its finances, and would at the same time give additional strength and dignity to the Government.

But objections have been made to the manner of accounting for the public money in this kingdom, they appeared to him not to be well founded, and he thought that the provisions already made for that purpose had been well considered.

By the first of these, which was by the Act of the 10th Henry VII. the treasurer of Ireland is every year to make a declaration of his accounts " of the revenue of " the same" before the Barons of the Exchequer, and before such of the King's Council as shall be named by the King's Lieutenant; under this authority several of the principal officers of the Crown had, from time to time, been appointed ; but for many years past the Lord Chancellor and Chancellor of the Exchequer were the only persons joined in this commission with the Barons of the Exchequer ; and by a regulation made since his Majesty's accession, those accounts are settled quarterly, when the vouchers are all carefully



carefully examined by those great officers, who are fully competent to judge of their legality.

Besides this mode of reviewing the National Accounts another has been introduced by the House of Commons of this country. A Committee of Accounts has been instituted, in which every article of the public expenditure, and the authority under which it has been made, are carefully investigated ; and a public officer has been appointed, whose duty it is to prepare, for the inspection of that House, statements of the public accounts under their different heads. After a minute investigation a special report is made by this Committee, specifying the increase or diminution under each article.

About twenty years since a new Board of Accounts was created, called the Commissioners of Imprest Accounts ; it is a mistake to say that this Commission has been  
 useless ;

useless ; on their first establishment, the utility of the institution was, after the fullest consideration, acknowledged by this House, at a time when a majority was usually found against the measures of Administration. This establishment, originally useful, has been rendered much more so by an Act of the 23d and 24th of the present Reign, by which several Accounts of the Expenditure of Public Money to a great amount, and not formerly within their Commission, have been referred to their determination ; a strict oath is directed to be taken by the Commissioners, and many other regulations are enjoined which have rendered this Board an institution of great national utility.

At the time of its formation it was the intention to have referred to the new Board the Accounts of the Treasury ; but the late Lord Chancellor objected, the objection prevailed, and from a respect for that ancient and venerable institution those

Accounts

Accounts were excepted out of the new Commission.

He apprehended that the Accounts of the public expenditure were as properly taken in this as in any other country ; but the defect was that the Law had not sufficiently ascertained the purposes for which the public money was to be expended ; and this defect would be completely supplied by the arrangement proposed to be introduced by his Majesty's servants.

To remove a jealousy which had long agitated the public mind, had subsisted for near a century and a half, and had, during the present century, caused various dissensions ; to promote confidence in the Ministers, and the measures of the Executive Government ; to redress the only grievance of which this nation had now any just cause to complain, and to effect those salutary purposes by a gracious concession from the King to his people, must prove a  
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great accession of strength to the Government of a free country. Let us enumerate to our constituents, whom we are shortly to visit, the various blessings which we have obtained in a single reign—the limitation of our Parliament ; a free trade ; the full participation of commercial intercourse with the British colonies in the West Indies and America ; perfect security of personal liberty, by the Habeas Corpus Act ; the benefit of all treaties in their fullest extent to Ireland ; the independence of our Legislature ; the independence of our Judges ; the establishment of our final judicature ; the principle adopted of assimilating our Constitution to that of Great Britain ; the place and pension bills ; vacating the seats of certain pensioners and place-men, which will be the consequence of that principle ; the liberty of re-exporting to Great Britain ; the comprehension of all our fellow subjects within the verge of the Constitution ; and the whole intended to be crowned by the appropriation of the Revenue,



Revenue, the vesting of it in responsible Commissioners, and the reduction and limitation of pensions ; and all this effected, not by making bargains, as in the time of the Stewarts, but without any stipulation whatever on the part of the Crown.

He observed, that this last measure would appear the more gracious, when it was considered, that former monarchs had drawn large sums of money out of Ireland for their personal use : it is said, that Edward the III. had received no less than 30,000*l.* yearly from Ireland ; Charles I. from 40 to 50,000*l.* yearly ; and Charles II. very considerable annual sums : but since the accession of the House of Hanover, not a guinea of the revenue of Ireland had been applied to the support of the Royal dignity. Pensions had indeed been granted to some of the Royal Family ; but of these no man had ever disapproved.

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Among the national acquisitions he considered the militia act, the establishment of which institution in this country had to his knowledge been long resisted on the part of Great Britain, and opposed by different British Ministers, and Irish Viceroy's ; as to the extension of this measure to great cities, he gave no opinion, but considered that mode of defence, for the kingdom in general, as the most constitutional of any that could be proposed.

In making this just representation to our constituents, let us desire them to look back to their former history, and see whether any period of our existence as a country, was equal to the present, in every circumstance that constituted the happiness of a people ; recommend it to them to look round the different nations of the globe, and then say, whether in any one country, Great Britain not excepted, there exist stronger reasons for general national contentment ; and bid them beware of shewing any  
symptoms

symptoms of dissatisfaction any where, lest any man, envious of the happiness of Ireland, should ask—will the people of that country never be satisfied?

He declared solemnly the opinion of a man long conversant in public business, and deeply interested in the happiness of Ireland, that after those arrangements were compleated, he did not know of any one constitutional security that this country would want, excepting a moderate improvement in the representation in the House of Commons, when a proper time should arrive for discussing a subject of that nature.

He concluded with saying, that he had put himself more forward in this debate than was customary with him, because, from his advanced time of life, and long experience in the business of his Majesty's Government, he had been more conversant in those subjects, than any man  
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who heard him ; and in such of those events, as had arisen in the present reign, he had taken his part as one of his Majesty's servants.

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